

AMENDMENTS TO THE DRAWINGS:

The attached new drawing sheet includes new Figure 5, which shows a schematic representation of a side view of a portion of the retention spring 3 and contact lamellae 7 expanded by the knife spring 14.

Attachment: One (1) new drawing sheet.

REMARKS

I. Introduction

Claims 1 to 7 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Objection to the Drawings

The drawings were objected to under 37 C.F.R. § 1.83(a). The Office Action alleges that the drawings do not show "free ends of the contact lamellae configured to come to rest against the spring element in direct proximity to the contact point," as recited in claim 1, and "the contact lamellae are configured to interact with the knife blade so as to contact the spring element in direct proximity to the at least one contact point," as recited in claim 5.

Applicants respectfully submit that the new drawing sheet submitted herewith including Figure 5 overcomes the present objection to the drawings. Withdrawal of this objection is therefore respectfully requested.

III. Rejection of Claims 1 to 7 Under 35 U.S.C. § 112

Claims 1 to 7 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicants respectfully submit that claims 1 to 7 fully satisfy the requirements of 35 U.S.C. § 112 for at least the following reasons.

As an initial matter, the Office bears the initial burden of presenting "evidence or reasons why persons skilled in the art would not recognize in an applicant's disclosure a description of the invention defined by the claims." (See M.P.E.P. § 2163.04 (citing In re Wertheim 541 F.2d 257, 262, 265, 191 U.S.P.Q. 90, 96, 98 (C.C.P.A. 1976))) (emphasis added). The Manual of Patent Examining Procedure also provides that if an examiner rejects a claim based on the lack of a written description, the examiner should "identify the claim limitation not described" and provide "reasons why persons skilled in the art would not recognize the description of this limitation in the disclosure of the application." (See id.). However, the written description requirement is not an in haec verba requirement. That is, "the specification 'need not describe the claimed subject matter in exactly the same terms as

used in the claims; it must simply indicate to persons skilled in the art that as of the [filing] date the applicant had invented what is now claimed.” All Dental Prodx LLC v. Advantage Dental Products Inc., 64 U.S.P.Q.2d 1945, 1948 (Fed. Cir. 2002) (quoting Eiselstein v. Frank, 52 F.3d 1035, 1038, 34 U.S.P.Q.2d 1467, 1470 (Fed. Cir. 1995)). Moreover, a “failure of the specification to specifically mention a limitation that later appears in the claims is not a fatal one when one skilled in the art would recognize upon reading the specification that the new language reflects what the specification shows has been invented.” All Dental Prodx, 64 U.S.P.Q.2d at 1948 (citing Eiselstein, 52 F.3d at 1039, 34 U.S.P.Q.2d at 1470). An applicant can show “possession of the claimed invention by describing the claimed invention with all of its limitations using such descriptive means as words, structures, figures, diagrams, and formulas that fully set forth the claimed invention.” M.P.E.P. § 2163 (citing Lockwood v. American Airlines, Inc., 107 F.3d 1565, 1572, 41 U.S.P.Q.2d 1961, 1966 (Fed. Cir. 1997)).

The Office Action alleges that the features “free ends of the contact lamellae configured to come to rest against the spring element in direct proximity to the contact point,” as recited in claim 1, and “the contact lamellae are configured to interact with the knife blade so as to contact the spring element in direct proximity to the at least one contact point,” as recited in claim 5, constitute new matter. Applicants respectfully disagree. Original Figure 1 shows a contact lamellae 7 inserted into a retention spring 3 such that free ends 7' are adjacent a retention spring entrance port for a knife blade 14. The Specification at p. 4, line 32 to p. 5, line 8 states that upon insertion of the knife blade 14 the contact lamellae 7 expand to a maximum position, at which they rest against the inside of external retention spring 3, and that the contact lamellae 7 give way in the direction of the entrance port for the knife blade prior to running up against the limiting elements of the entrance port of external retention spring 3. Therefore, the Specification makes absolutely clear that the free ends 7' of the contact lamellae 7 are configured to come to rest against the spring element 3 upon insertion of the knife blade 14, as required by claims 1 and 5. The Specification makes equally clear where the free ends 7' come to rest, i.e., in contact with the spring element 3 and in direct proximity to the at least one contact point 10, as further required by claims 1 and 5. In this regard the Specification states at p. 4, lines 17 to 19 that the contact lamellae 7 have a contact region 9, including a contact point 10, used to produce an electrical connection with the knife blade 14. As can be seen in original Figure 2, the contact region 9, including contact point 10, is in direct proximity to the free ends 7' of the contact lamellae 7. Nor would this change after insertion of the knife blade 14. Given the shape and deformation characteristics of the contact lamellae 7 (Figure 2), it would have been clear to one skilled in

the art at the time of filing, that upon insertion of the knife blade 14 contact point 10 would move along with the free ends 7' (given that they are both on the contact lamellae 7) and that upon full expansion of the contact lamellae 7 the free ends 7' and contact point 10 would remain in direct proximity. Therefore, Applicants respectfully submit that the features that the "free ends of the contact lamellae configured to come to rest against the spring element in direct proximity to the contact point," as recited in claim 1, and that "the contact lamellae are configured to interact with the knife blade so as to contact the spring element in direct proximity to the at least one contact point," as recited in claim 5, do not constitute new matter.

In view of the foregoing, it is respectfully submitted that claims 1 to 7 fully comply with the requirements of 35 U.S.C. § 112, first paragraph, and withdrawal of this rejection is therefore respectfully requested.

IV. Rejection of Claims 1 to 7 Under 35 U.S.C. § 103(a)

Claims 1 to 7 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 4,168,878 ("Risser et al.") and U.S. Patent No. 5,135,417 ("Stanevich"). Applicants respectfully submit that the combination of Risser et al. and Stanevich does not render unpatentable the present claims for the following reasons.

Risser et al. purportedly relate to pin and socket type electrical terminals. The Office Action admits that Risser does not disclose "after further insertion of the blade, the free ends configured to rest against the spring element and the contact lamellae configured to deform." Stanevich purportedly relates to a dual usage electrical/electronic pin terminal system. For the reasons detailed below, Applicants respectfully submit that the combination of Risser et al. and Stanevich does not disclose, or even suggest, that the free ends of the contact lamellae are configured to come to rest against the spring element in direct proximity to the contact point, as required by claim 1, or that the contact lamellae are configured to interact with the knife blade so as to contact the spring element in direct proximity to the at least one contact point, as required by claim 5.

The plug connector of the present application has an inner contact part 2 and a retention spring 3, which at least partially encloses the inner contact part 2. A knife blade 14 inserted into the plug connector contacts the inner contact part 2 at contact point 10 forcing the lamellae 7 apart such that the free ends 7' of the lamellae 7, which are in direct proximity to the contact point 10, contact the inner surface of the retention spring 3 and remain in direct proximity to the contact point 10. The proximity of the contact point 10 (between the knife

blade 14 and the lamellae 7) and the point where the free ends 7' of the lamellae 7 contact the inner surface of the retention spring 3 assures that the contact between the lamellae 7 and the retention spring 3 adequately transmits a bracing effect to the lamellae 7 at contact point 10. In contrast, the point on the Stanevich device adjacent reference number 20 (where the springs 17, 18 contact retention spring 14) is on an opposite end of the springs 17, 18 and is spaced away from contact point 24 of springs 17, 18. Therefore, the contact between the Stanevich retention spring 14 and springs 17, 18 does not provide the same level of bracing support at the contact point between element 11 and the springs 17, 18 (adjacent reference number 24), as achieved by the electrical connector embodiment configuration of claims 1 and 5.

Notwithstanding the above, to expedite prosecution, claim 1 has been amended without prejudice to recite that the contact lamellae are configured to spring off freely at a beginning of an insertion of a knife blade into the contact segment, and, after further insertion of the knife blade, only free ends of the contact lamellae configured to come to rest against the spring element in direct proximity to the contact point *with the knife blade maintaining contact with the contact segment and contact point*. Further, claim 5 has been amended without prejudice to recite that the contact lamellae are configured to interact with the knife blade, *which maintains contact with the contact segment and contact point*, so as to contact the spring element in direct proximity to the at least one contact point. No new matter has been added. Support for these amendments can be found in the Specification, for example, at p. 4, lines 17 to 21, and p. 4, line 32 to p. 5, line 9.

The Office Action alleges that the free ends of the contact lamellae in Figure 7 of Stanevich are configured to rest against the spring element in direct proximity to the contact point. Claims 1 and 5 have been amended to make clear that the contact point referred to in these claims refers to the point in which knife blade is in contact with when the free ends of the contact lamellae contact the retention spring. The lamellae of Stanevich contact the knife blade at two points. During initial insertion, the knife blade first contacts the lamellae at point 22 but the lamellae have not expanded sufficiently to contact the retention spring 14. Therefore, point 22 does not qualify as the contact point recited in claims 1 and 5. Upon further insertion of the knife blade contact is made at point 24 and then lost with point 22. It is the contact at point 24 which maintains the free ends 20 of the lamellae in contact with the retention spring 14. However, point 24 is at the opposite end of the contact lamellae and, therefore, is not in direct proximity to where the spring element 3 and contact lamellae rest against each other (adjacent point 22).

Therefore, for the foregoing reasons, Applicants respectfully submit that the combination of Risser et al. and Stanevich does not disclose, or even suggest, all of the features of amended claims 1 and 5.

Claims 1 to 4 depend from claim 1 and therefore include all of the features of claim 1. Claims 6 and 7 depend from claim 5 and therefore include all of the features of claim 5. As more fully set forth above, it is respectfully submitted that the combination of Risser et al. and Stanevich does not disclose, or even suggest, all of the features of claim 1, from which claims 2 to 4 depend, and claim 5, from which claims 6 and 7 depend. Therefore, it is respectfully submitted that the combination of Risser et al. and Stanevich does not render unpatentable these dependent claims for at least the same reasons provided above in support of the patentability of claims 1 and 5, respectively.

V. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

KENYON & KENYON LLP

Dated:

April 26, 2007

By:

Gerard A. Messina
Gerard A. Messina
Reg. No. 35,952
One Broadway
New York, New York 10004
(212) 425-7200
CUSTOMER NO. 26646
R.N. 42,194